

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ASHLEY ANN PAYNE and
BREANNA MARIE PAYNE, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JUNE PAYNE,

Respondent-Appellant.

UNPUBLISHED

August 26, 2003

No. 245830

Mecosta Circuit Court

Family Division

LC No. 00-004024

Before: Markey, P.J., and Cavanagh and Saad, JJ.

MEMORANDUM.

Respondent appeals as of right from the order of the trial court terminating her parental rights to her minor children pursuant to MCL 712A.19b(3)(c)(i) and (g). We affirm.

The trial court's failure to strictly adhere to time frame set forth in the court rules and statute does not warrant reversal of the order of termination. *In re Pardee*, 190 Mich App 243, 252; 475 NW2d 870 (1991).

In addition, the trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The record is replete with evidence that respondent was either unable or unwilling to address her drug addiction during the two years that the children were in foster care. During most of the two years she was unemployed. She failed to continue counseling, failed to complete parenting classes, and did not enter an inpatient program to address her addiction until just before the termination hearing. At the time of the termination hearing, respondent was living with her grandmother in a home that she admitted would not be suitable for the children. This evidence was sufficient to establish the statutory grounds for termination.

Further, the evidence did not show that termination of respondent's parental rights was clearly not in the best interests of the children. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The trial court therefore did not err in terminating respondent's parental rights to the children.

Affirmed.

/s/ Jane E. Markey
/s/ Mark J. Cavanagh
/s/ Henry William Saad